

# Law Enforcement News

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## Capital ideas

### DC Chief unveils blueprint for top-to-bottom overhaul

For the fourth time in as many years, the Washington, D.C., Metropolitan Police Department is about to undergo a departmental reorganization, and hopes are high that the latest overhaul will produce far greater success than any of the earlier efforts.

Speaking to a cheering crowd of about 1,200 officers and civilians at DAR convention hall on Sept. 9, Chief Charles H. Ramsey unveiled a plan that he said would dramatically change the structure of the department, with an emphasis on decentralization and geographic accountability.

"I'm going to expose you to a concept, to an idea, that is fundamentally going to change the way we do business," said Ramsey, who came to Washington six months ago from the Chicago Police Department, where he was hailed as the architect of the city's community policing effort. "What we're going to do is rebuild the Metropolitan Police Department...[and] unlike before, we're not going to hire consultants."

Ramsey's pointed remark referred to a \$5-million study of the beleaguered department, commissioned by the city's financial control board, that was conducted by the firm of Booz-Allen & Hamilton and released in February 1997. Ramsey's new design for the department includes none of the recommendations made by the consultants.

The new plan, outlined in a white paper that

accompanied the announcement, is described as "a significant departure from the way police departments...have been organized. The new structure represents nothing short of the wholesale transformation of the MPDC from a bureaucratic, incident-driven agency to a streamlined, customer-driven service organization — one that is

**Officers and civilians applaud the latest plan for reform — the fourth in as many years — as a candid Chief Ramsey admits, "I really underestimated the problems."**

focused on forging alliances to more effectively fight crime and solve problems."

"In recent years," the document continues, "police departments across the country have struggled with trying to implement the philosophy of community policing with the same organizational structures we have used for years. The result: our structure has become fundamentally out of sync with the way work gets done in the organization."

The new plan purports to do away with the

"traditional, vertical structure" that is common in policing and rely instead on a more "lateral" structure that is based less on function than on geography.

Ramsey told The Washington Post, "It struck me one day that I can't fix this place. I really underestimated the problems. They really are systemic. We're not structured in a way to get work done."

Ramsey's plan calls for moving 400 detectives and officers in specialized, headquarters-based investigative units to seven police districts. The specialized units, which include homicide, traffic and sex crimes, will then be disbanded. Detectives in the seven districts will work in one of two squads: property crimes and violent crimes.

The plan will involve yet another change of address for members of the homicide unit, which has long been criticized for mismanagement and has been centralized and decentralized several times in the past four years.

The unit was decentralized by then Police Chief Fred Thomas in 1994. His successor, Chief Larry Soulsby, subsequently brought the detectives back to headquarters, only to decentralize them again at the suggestion of the Booz-Allen consultants. Interim Chief Sonya Proctor, who ran the department between the administrations of Soulsby and Ramsey, brought the

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## Report finds Philadelphia PD making progress, with far to go

The Philadelphia Police Department has made progress toward reform and modernization under the leadership of Commissioner John F. Timoney, but the agency still has a long way to go if it wants to catch up with the ongoing nationwide revolution in law enforcement.

That's the assessment of a civic watchdog group that interviewed more than 60 current and former police officials, criminal justice experts, elected officials and others and scrutinized the police agencies in the nation's 20 largest cities in order to arrive at an assessment of the current status and direction

of the Police Department.

"Despite the new reforms that have been put in place by the new Commissioner, in the near-unanimous opinion of the many experts we interviewed, the Police Department has much to gain from meaningful reform because the quality of the department is at stake and precious time has been lost already," Mary Kohart, chair of the civic group known as the Committee of Seventy, told The Philadelphia Inquirer.

The report by the 94-year-old civic group, which was released on Sept. 8, is the group's second comprehensive

look at the PPD in the past 12 years.

A 1986 study likewise offered a variety of recommendations for structural reform of the police force. Many of those proposals were subsequently put before local voters as part of a May 1994 referendum on a new city charter, which was rejected.

The new report by the Committee, "Philadelphia Police Department Governance Study," calls for broader and more effective recruiting efforts, tougher entry requirements, and greater discretion for the commissioner in choosing his top commanders.

The city's Civil Service system, the report said, effectively hamstringing the Commissioner when it comes to appointing upper-level managers and holding them accountable — and all of the experts interviewed by the Committee stressed the need for increased accountability.

The solution, in the estimation of some experts, may lie in giving the Commissioner the authority to appoint such managers outside of the Civil Service system, either by amending the city's Home Rule Charter to provide for more exempt positions, or by implementing a "detailing" system similar to the one in the New York City Police Department, Timoney's former employer.

In the NYPD, officers above the rank of captain are promoted and serve at the pleasure of the Commissioner while retaining their original Civil Service rank.

Such changes, however, may not be politically viable for the nation's fourth largest police department, many said, recommending instead that the Commissioner or his designee conduct the oral exams for inspectors and chiefs in order to achieve some control over the appointment process at the highest ranks.

Currently, officers move up through the ranks by taking written tests and oral exams administered by police veterans from outside the city — a system that

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## Seattle PC makes good on vow, as cops return to schools & community beats

School bells rang out last month to welcome thousands of Seattle students back to school, and with them, as promised, came the return of 42 police officers to their previous assignments as community police and school-emphasis officers.

In June, Police Chief Norm Stamper had shifted the officers from their regular duties to handling emergency calls for service. The move led some to protest that it signaled the downsizing of a community policing program that had been Stamper's highest priority since he took office in 1994.

Stamper, however, noted at the time

that with the onset of summer — and with it an expected rise in the number of 911 calls — the safety of regular patrol officers would be compromised without the addition of more patrollers, who would be drawn from the ranks of community- and school-based officers. Stamper said he had no choice but to order the reassignments, but vowed that the shift would be only temporary.

The Seattle Police Department has been in the grip of a manpower shortage that has left it operating at approximately 10 percent below authorized strength.

According to The Seattle Times, the

10 school-emphasis officers began returning to their duties during the first week of September, and within a week all were back at their previous posts.

Not all of the 32 community police officers who returned to those duties on Sept. 8 were the same ones who were originally transferred from the unit in June, said Carmen Best, a police spokeswoman. Six of the 32 were still temporarily assigned to patrol as of mid-September.

Best cautioned that the return of the 42 transferred officers should not be construed as evidence that the 1,154-officer department has resolved its man-

power-shortage problem. "We've always had a shortage," she said. "That won't change."

Department officials expect a wave of as many as 170 veteran officers to retire over the next 15 months. To help alleviate the ongoing personnel crunch, Best said, a cadre of 18 new officers who graduated from the Police Academy in mid-August has already hit the streets.

Two more academy classes are currently in training simultaneously, with 22 officers due to be on patrol by late November and another 23 by February, Best said.



# Around the Nation

## Northeast



**CONNECTICUT** — Deborah J. Bouchez, 44 and Jason J. Heacock, 19, were charged with cultivating and possessing marijuana that was growing in their backyard less than 100 yards from Winsted police headquarters. The crop was said to be in plain sight of the lot where patrol cars were parked. Police responded to an anonymous tip.

East Hartford Police Officer Robert Zulick turned himself in to the state's attorney's office in August after being charged with one count of possession of an explosive and three counts of sixth-degree larceny. Authorities said the charges stemmed from a Fourth of July party in which a training grenade and military flares were fired off. This is Zulick's second arrest. In 1995 he received a 90-day suspension and a year's probation for handcuffing a department secretary to a chair.

Bristol officials say the city's overall crime rate has continued to shrink faster than the national average. 1997 statistics supplied by State Police and the FBI show a 36 percent decrease from the previous year.

**DELAWARE** — Two Wilmington brothers, ages 8 and 9, and an 8-year-old girl were charged in August with the rape of a 9-year-old girl at a city park.

**MARYLAND** — State Police in the Laurel area are enrolling participants for a voluntary "Watch Your Car" program to combat auto theft. Those who sign up will get front and rear windshield stickers that authorize troopers to stop their vehicles if they are on the street between 1 A.M. and 5 A.M.

**MASSACHUSETTS** — Suffolk Superior Court Judge Isaac Borenstein on Aug. 14 blocked plans by the state to build a computer data bank of prisoners' DNA. Borenstein said forcing prisoners to give blood is unconstitutional. State law-enforcement officials were ordered to stop taking blood samples from inmates and parolees who did not agree to offer it and to impound 1,200 blood samples already taken.

A Suffolk Superior Court jury has awarded State Trooper Robert J. Monahan \$1.15 million in a whistleblower case. Monahan claimed he was punished by his superiors after he reported that Federal officials were protecting an informer he suspected of laundering drug money. The trooper had been working on a drug investiga-

tion with authorities in Florida and Colorado when he reported his suspicions about a private investigator named Michael J. Taylor. Monahan was told to stop investigating and was assigned to patrol the Massachusetts Turnpike. His case was taken up by the American Civil Liberties Union.

Attorney Joseph P. Murphy, 48, of Milton, was sentenced Aug. 17 to two years in prison for funneling thousands of dollars in payoffs from clients arrested on drug charges by former Boston detectives Walter F. Robinson Jr. and Kenneth Acerra. Both detectives pleaded guilty to corruption charges earlier this year and were sentenced to three years in prison. According to his testimony, Murphy acted as an intermediary on several occasions, arranging to have cocaine charges against his clients dismissed if money was paid to Robinson and Acerra.

**NEW HAMPSHIRE** — Manchester Patrolman George A. Baker was found not guilty Aug. 12 of assaulting his girlfriend, Kim Burns. Baker testified that he had slapped Burns twice, but had not kicked her or hit her in the face. Both had been drinking heavily, he said, and Burns had been kicking and screaming. Baker said he had to drag her up her apartment stairs because she couldn't walk. A neighbor called 911 when she saw a man who appeared to be hurting someone on the ground. Burns was a reluctant witness in the trial.

Following the lead already taken by police in Nashua, Hudson, Manchester and Salem, the town of Londonderry plans to use Federal funds to hire a uniformed officer to patrol the local high school.

**NEW JERSEY** — The president of Camden County's Policemen's Benevolent Association, Tom Aron, has accused Sheriff Michael McLaughlin of putting deputies' lives at risk by not immediately equipping each deputy with a top-of-the-line bulletproof vest. While Aron claims the department has the money, McLaughlin says that the department will save county tax dollars by buying the vests with state funds over a five-year period under a new program that uses money from traffic fines.

State Trooper Brendan Crooker, 27, of Rockaway Township, was indicted Aug. 21 on charges of official misconduct for "sexually gratifying himself during a traffic stop." Crooker is accused of pressuring a woman in August 1997 to have sex with him in lieu of getting a speeding ticket. If convicted, he faces up to 10 years in prison.

Jersey City police have issued 1,877 summonses in the six months since city officials approved a law allowing them to ticket people who try to buy illegal drugs. A police spokesman said that the City Council endorsed the practice of issuing tickets rather than making arrests in order to save the Police Department and the local court system time and money.

Despite a Jefferson woman's decision to drop domestic violence charges against her husband, a Superior Court judge in August refused to lower bail for a the defendant, a suspended Lyndhurst police officer Judge Lewis Weinstein said he had learned that a

victim's decision to dismiss the charges is a classic event in domestic violence cases. Stephen Cagnacci is being held on \$200,000 bail on charges of aggravated assault, terroristic threats, possession of a weapon for unlawful purposes and contempt of a restraining order. Cagnacci has been in custody since November, when he was arrested after holding a loaded gun to his wife's head.

State Police and the Division of Consumer Affairs are warning residents not to get tricked by hustlers claiming to be collecting for a fund to benefit the families of slain U.S. Capitol Police Officer Jacob J. Chestnut and Det. John Gibson, who were shot on July 24 while protecting the Capitol against an armed intruder.

Dover Police Officer Keith Smith, 30, accidentally shot himself in the hand Aug. 19 while cleaning his Glock semi-automatic pistol in preparation for going to the firing range. The .40-caliber bullet went through his left hand, between his middle and ring fingers. Permanent damage is unlikely, said Chief Brian Kelly.

Camden Police Officer Pierre Robinson, 43, a former bodyguard for Mayor Milton Milan, will be returned to desk duty. Robinson was suspended after officials said he might have provided an outlawed Tec-9 assault weapon to a man reputed to be the leader of Camden's largest drug ring. Robinson, who is still the subject of an internal police investigation, has not been charged with any crime. Federal law enforcement officials declined to comment whether the 13-year veteran was under investigation.

**NEW YORK** — The New York City Board of Education is expected to ban students from using laser pointers. The red dots produced by the devices resemble those emitted by laser gun sights, and can cause harm to the retina if trained on the eye for more than 10 seconds.

New York City police officers Tracy Eutsay and Joseph Bisogna were suspended Aug. 19 after allegedly roughing up tenants in a building owned by a friend in Queens while they were supposed to be on duty in Manhattan.

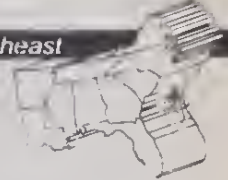
Two Hispanic officers dismissed by the New York City Police Department after the disappearance and death of a precinct mascot are suing for reinstatement and \$20 million in damages, claiming discrimination. Sgt. Hector Collazo and Officer Gilberto Ildelfonso, assigned to the 1st Precinct, were apparently angered by a mess made on the gym floor by the precinct's dog, a stray heagle named Fred. Authorities say the officers beat the dog, stuffed him in the trunk of a squad car and took him to the ASPCA, passing him off as a stray. The dog was destroyed three days later. A hearing officer recommended that the officers lose pay, but then-Police Commissioner William Bratton went a step further and fired them.

Under legislation signed Aug. 18 by Gov. George Pataki, students as young as 14 may be prosecuted as adults if they bring a loaded gun to school. Effective Nov. 1, penalties would also increase from up to 18 months in a juvenile detention center to up to four

years for those found with a loaded firearm on school grounds, or up to seven years if prosecutors can prove the student intended to use the weapon.

**VERMONT** — The FBI has cleared the State Police of any wrongdoing in the 1991 death of Frederick Carty, a Massachusetts man who was last seen alive by a trooper. Carty's sister has never accepted the official explanation that her brother had committed suicide by drowning.

## Southeast



**ALABAMA** — Birmingham merchants are being warned by police that they will be ticketed for curfew law violations if they let youths stay on their property during school hours or late at night. Fines for businesses and teenagers were included in the original curfew ordinance passed in 1996, but businesses have seldom been cited.

Under a new program costing more than \$100,000, unruly students in Mobile will be sent to a special alternative school instead of being expelled or suspended.

**ARKANSAS** — Starting in November, a criminal background check will be required of all gun owners reclaiming their weapons from pawnshops.

**FLORIDA** — A curfew for teen-agers began in Daytona Beach on Sept. 1. Adolescents, under 18, found on the streets between midnight and 6 A.M. can be warned to leave the area, taken into protective custody, be issued a trespass warning or be arrested.

Miguel Moya, 35, the foreman of a Miami jury that acquitted two men accused of smuggling \$2 billion worth of cocaine into the United States, was indicted Aug. 18 on charges of accepting a \$500,000 bribe in the case. Prosecutors claim Moya spend the money on a Cadillac, a Rolex watch, a house and a boat. The investigation into Moya began after Augusto Falcon and Salvador Magluta were acquitted in 1996 on charges that they smuggled 75 tons of Colombian cocaine into the country.

The daughter of a Eustis couple killed by the leader of a vampire cult told The Orlando Sentinel that she had never wanted her parents killed. The accused killer, Rod Ferrell, testified during his trial that 17-year-old Heather Wendorf said her parents were "hurting her" and she wanted them murdered. Wendorf, who has been cleared of any wrongdoing, said she joined the cult because it was much more interesting than her regular life. Richard Wendorf and Naoma Queen, the victims, were bludgeoned to death in their home in November 1996.

**GEORGIA** — Statistics released by the Georgia Bureau of Investigation show a drop of 8.2 percent in serious crimes in 1997. There were 406,910 serious crimes reported to law enforcement agencies, compared with 443,360 in 1996.

A woman who accused Morrow Police Capt. Ben Lamar Campbell of

## POLICE OFFICER Town of Jackson, Wyo. Salary Grade 5 (\$30,832 - \$43,384) Status: Non-Exempt Supervisor's Title: Patrol Sergeant

Persons in this position are responsible for the direct provision of public safety services to members of the general public and for the direct enforcement of the criminal law in the form of statutes and ordinances against violators and offenders.

### Duties and Responsibilities:

(All duties listed may not be found in each position, nor does the list include all tasks which may be assigned to the position.)

- 1. Receives via radio, telephone, direct citizen contact, or from supervisors or other officers, information relative to calls for police service. Response to such information, conducts preliminary investigations, determines facts and takes appropriate action according to law and departmental policy. Documents all elements of response, investigation and action.
- 2. Conducts visual patrols of the community being alert to conditions which may affect the safety of the public and, when noted, either monitors the condition or addresses the condition.
- 3. Maintains a high degree of visibility to the public to act as a deterrent to crime.
- 4. Is readily accessible to members of the public to assist when possible and to provide referral information when appropriate.
- 5. Apprehends and interviews suspects, issues citations, and makes arrests when facts and circumstances are present which call for those actions.
- 6. Processes crime scenes, collects and preserves evidence, and testifies in court.
- 7. Enforces the safe and legal operation of motor vehicles.
- 8. Administers first aid to injured or ill persons.
- 9. Makes frequent checks of public buildings, businesses, and residences to assure the security of public and private property.
- 10. Receives and provides training in various aspects of police work.
- 11. Assists the public by giving directions and helping to locate lost children or vehicles.

### Supervisory Responsibilities:

May be called upon to supervise or direct new officers or community service officers when so assigned.

### Qualifications:

- 1. Must possess a valid driver's license.
- 2. Minimum of 60 semester credits from an accredited college or university or an Associate's Degree from an accredited college or university.
- 3. Two (2) years experience as a certified law enforcement officer. (This requirement may be waived in the case of appointment to Police Recruit and attendance at the Wyoming Law Enforcement Academy.)
- 4. Must pass a rigorous selection process designed to provide an opportunity to demonstrate the ability to communicate, to work cooperatively, to mediate disputes, and to enforce the law.
- 5. Must develop a thorough knowledge of legal principles and techniques.
- 6. Must also develop the skill to operate various pieces of equipment such as a patrol car, weapons and related equipment.

### Physical Demands and Work Environment

This position demands strength and endurance. It also requires working in a wide variety of environments, some of which are hazardous.

### Application

Filing deadline for applications is Friday, Nov. 6, 1998, at 5:00 P.M. Apply to Roxanne Robinson, Personnel Director, Town of Jackson, P.O. Box 1687, Jackson, WY 83001. Fax: (307) 733-0919. E-mail: towngov@ci.jackson.wy.us



groping her during an arrest is now suing Campbell's estate, the Police Department and the city of Morrow. Campbell, 42, who committed suicide on June 16, was accused of putting his hand on Tonia Lynn Gantt's genital area and asking her to expose herself. Campbell had said he suspected the woman might have drugs. After Gantt publicized the incident, a despairing Campbell shot himself in the head. Gantt is seeking damages for her "emotional distress, humiliation and mental pain and suffering."

Barnesville Police Capt. Beth Tessmer, 41, testified in August that her 27-year-old husband, David Newton, raped her the night she fatally shot him in the chest with her .40-caliber Glock service pistol. Tessmer said she loved her husband, even though he was an alcoholic and was sexually and physically abusive.

**LOUISIANA** — Three teen-agers, including a 14-year-old, face charges of aggravated arson for allegedly setting fire to the Baton Rouge home of a man who heads a local Neighborhood Watch. Two cars in the victim's driveway were soaked with gasoline and set ablaze. While the fire destroyed the cars and damaged the house, the man and his wife, both in their 60s, and their daughter, who was visiting, were not injured. An investigator said the boys were apparently trying to teach the man a lesson.

New Orleans Police Officer Russell "Duke" Nelson was arrested Aug. 14 on three counts of extortion when he got caught in a sting that was set up to catch massage parlor owners who were willing to bribe police. Nelson, 49, accepted \$200 on one occasion, and came back twice more, accepting \$100 and \$300 from the owners of the Bangkok Spa. Two women who own the East Winds Spa, Nhu Thi Nguyen, 48, and Hue Thi (Vicky) Carr, 52, were booked for racketeering, bribery and obstruction of justice.

**NORTH CAROLINA** — The number of Southeast Bomb Task Force officers searching for Eric Rudolph, the suspected abortion-clinic bomber, will be reduced from 200 to 80. The officers are needed in Washington and New York because agents in those cities are being sent to Africa to investigate terrorist bombings of the U.S. embassies in Kenya and Tanzania.

**SOUTH CAROLINA** — Despite criticism from the local branch of the NAACP, the Greenville County Sheriff's Office was accredited by the Commission on Accreditation of Law Enforcement Agencies in August. The civil rights group said it was disappointed by CALEA's decision, saying the sheriff's department lacks a community outreach program and has failed to meet national standards for diversity in upper management. Earlier this year, an unarmed drug suspect was fatally shot by a member of the department's SWAT team, and a deputy shot and killed a passenger in a car during a traffic stop. A CALEA official said the NAACP's complaints were taken into consideration but were not enough to thwart the accreditation.

The state Supreme Court ruled Aug. 17 that people who become drunk in bars and restaurants can no longer sue

the businesses that sold them the alcohol. People who were injured by drunken drivers, however, can still sue the businesses that sold the drinks.

**TENNESSEE** — A \$10-million school-safety grant made available to school districts by the Legislature during its last session will be spent on police, drug-sniffing dogs, metal detectors and classes on nonviolence.

**VIRGINIA** — More ex-offenders are on the streets now than before a 1997 law abolishing parole. Officials explained that the law is not retroactive, and thus inmates convicted before its implementation remain eligible for parole.



**ILLINOIS** — Four males, including three teen-agers, face first-degree murder charges in the Aug. 21 death of Chicago Police Officer Michael Ceriale, 26. The officer, who had been on the job for just 15 months, was shot Aug. 15 as he and his partner conducted plainclothes surveillance of drug trafficking at the Robert Taylor Homes housing complex. Ceriale was hit by a single bullet that entered his abdomen just below his bulletproof vest.

Five more members of the Gangster Disciples street gang in Chicago were convicted Aug. 21 by a Federal court jury. Prosecutors said three of the defendants, Jeffrey Hatcher, Jimmie Gholson and Bryan Crenshaw, had headed up the gang after the indictment of leader Larry Hoover and dozens of members in 1995.

Families with truant children could be evicted from housing units run by the Peoria Housing Authority, under a proposal now being considered. The plan involves families whose children miss 18 days or 10 percent of the school year.

**INDIANA** — Nearly 50 percent of the counties in the northern part of the state have requested free security assessments from the U.S. Marshals Service in the wake of an attempt on Aug. 2 to bomb the Tippecanoe County Courthouse.

Prompted by the murder of Derek, an Evansville police dog, while pursuing two suspects, State Representative Dennis Avery has said he will propose raising the penalty for killing a police dog from a misdemeanor to a felony.

**MICHIGAN** — A state law requiring the sheriff's department to declare a state of emergency if the jail exceeds capacity resulted in 403 inmates being released early by Ingham County Sheriff Gene Wigglesworth as of mid-August. Last year a record-setting 463 prisoners were given early releases. The county jail, built to hold 330 inmates, recently held as many as 536.

**OHIO** — Columbus City Attorney Janet Jackson met in August with attorneys from the U.S. Department of Justice to discuss a threatened lawsuit over alleged abuse and civil rights violation by police. The Justice Department said it had found a pattern of abuse

after a review of 300 complaints from citizens about police misconduct, recent lawsuits and records from a 1996 mayoral investigation of Police Chief James Jackson.

Four Cincinnati boys ages 8 to 10 were charged on Aug. 24 with sexually assaulting a 7-year-old girl. All four boys were charged with gross sexual imposition. One of the 10-year-olds was also charged with rape. The incident occurred in a wooded area.

**WEST VIRGINIA** — A lawyer has been paid nearly \$120,000 to settle a five-year-old lawsuit he filed against State Police Trooper Ron Jones and former Summers County resident Paul Witiw in 1993. Joseph Aucremanne claimed the men tried to frame him on criminal conspiracy charges in 1991 when he was a county prosecutor.



**MISSOURI** — A man believed to be a suspect in the shooting of Hazelwood Police Officer Brian Hale was shot and wounded in August during an arrest attempt by St. Louis police. The man, whose identity has not been revealed, was shot in the abdomen and authorities said the wound was not life-threatening. Hale, 40, was shot in the face after making a traffic stop. He was in stable condition.

Michael Faulkner, 40, a St. Louis bail bondsman, was arrested Aug. 15 and charged with handcuffing a man to his porch, severely beating him and forcing him to play Russian roulette. Police are searching for another suspect.

**SOUTH DAKOTA** — A zero-tolerance policy for violent threats and a procedure for investigating and acting upon such threats has been developed by Rapid City school officials.

Some 410 schools in South Dakota will be given passive detector devices to determine whether students have been drinking alcohol before attending school events, said officials. The devices can detect alcohol from a foot away.



**NEW MEXICO** — Albuquerque Police Officer Chris Callihan, 33, has been accused of stealing \$389 that an undercover officer left in the back of his patrol cruiser as part of an integrity-test sting operation. Police reports said Callihan's name had appeared in complaints investigated by Internal Affairs. Callihan told investigators that he knew he was being set up and that the "crack" left with the money was actually soap chips. The police report said that Callihan decided the safest place to keep the money until he could figure out who was setting him up would be in his own checking account.

The Corrales Police Department

will acquire 15 laptop computers with help from a \$500,000 Federal grant it received in 1997. The department will use software custom-designed by Ralph Izard, the Sandoval County Sheriff's Department crime analyst. It will work "horizontally," Izard said, making information from Federal and state data bases available to other officers and departments.

**OKLAHOMA** — Latimer County Sheriff Melvin Holly was released from the hospital less than two weeks after an Aug. 17 shootout that followed an apparent domestic dispute. Michael Bell allegedly chased his wife, Rebecca, from a downtown Wilburton department store with a .22-caliber rifle, shooting her five times and killing her. When Holly confronted Bell and ordered him to drop his rifle, Bell shot the sheriff in the stomach. Holly returned fire, wounding the gunman, who later died of a self-inflicted gunshot to the head.

The Tulsa County Sheriff's Office was ordered by a district judge in August to pay \$2,600 to The Tulsa World in legal fees and court costs stemming from a battle to obtain public records about the death of Charles Edward Guffey. The 39-year-old Guffey died in jail on Oct. 14, 1997, after his ulcer perforated. The World filed suit after repeated requests for Guffey's records were delayed by sheriff's officials. Newspaper officials received about two-thirds of the requested documents.

**TEXAS** — Dallas Police Officer Wade Smith, who was involved in an on-duty car crash on Aug. 16, had a blood-alcohol level nearly three times the legal limit, according to a police source cited by The Dallas Morning News. Smith, 30, has been put on administrative leave. A nine-year veteran, he was not injured in the collision with the other car, carrying two adults and three children. Police said four of those in the other vehicle were treated for minor injuries and declined to be taken to the hospital. There were no signs of intoxication until officers later smelled alcohol on Smith's breath while driving him back to the central operations division office, officials said.

Under the terms of a settlement with the Department of the Navy and the Justice Department, an annuity totaling \$1.9 million will be paid to the family of Esequiel Hernandez Jr., who was fatally shot in 1997 by a U.S. marine patrolling the Texas-Mexico border. The 18-year-old victim, a goatherd, was the first civilian killed by American military personnel since 1970 at Kent State University in Ohio.

**UTAH** — Officials of the Navajo Nation are asking for financial help from the Federal Government to help cover tribal expenses in connection with the manhunt for two men suspected of killing a Colorado police officer. The three-month search for Alan Pilon and Jason Wayne McVean, which has been focused on the canyons in the Four Corners area, has cost the Navajo Nation more than \$700,000 so far, said Navajo Police Chief Leonard Butler.



**ALASKA** — A proposed ordinance to strengthen property-seizure laws in Anchorage would require a separate civil action to seize property used in the commission of a crime or obtained with proceeds from a crime.

**CALIFORNIA** — The Immigration and Naturalization Service is making the first use of a reward program to find the smugglers who left eight illegal immigrants to die in the scorching desert of Imperial County. A group of six men and a teen-age girl was found huddled beneath trees with no food or water. A body found a few miles away is thought to be that of another man who was part of the group. Authorities are offering \$5,000 for help in determining who abandoned the Mexicans.

A mistrial was declared by a Federal judge in San Francisco in the lawsuit against police and sheriff's deputies who were videotaped daubing pepper spray into the eyes of environmental protesters. The jury could not agree on a verdict.

Alfredo Lozano, 32, an eight-year veteran of the Pasadena Police Department, shot himself to death while off-duty Aug. 19. His body was discovered in his car in the parking lot of Las Encinas Hospital's psychiatric and chemical dependence facility. Lozano, who was assigned to the department's anti-gang unit, was not a patient at the facility, Police Chief Bernard K. Melekian said.

Members of the notorious 18th Street Gang are suspected in the murder of Los Angeles Police Officer Filbert H. Cuesta Jr., a member of the anti-gang squad in the LAPD's Southwest Division. Records show that Cuesta, who was assigned to monitor the gang last year in the Smiley-Hauser area, had served injunction papers on one of the clique's reputed leaders.

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## Etched in stone

In nearly nine years as the police chief of Los Angeles, Edward M. Davis made a name for himself as an innovator who could also be counted on to provide lively news copy. In late October, his name may adorn a brand new police training facility that is nearing completion in Granada Hills.

The current Los Angeles Police Chief, Bernard C. Parks, who hailed Davis as the equivalent of a modern-day Sir Robert Peel, the father of modern policing, recommended in August that the Police Department's new, 44-acre Emergency Vehicles Operations Center be named for the former chief. That sentiment was promptly echoed by City Councilwoman Laura Chick, who said she would introduce a formal motion to that effect.

"Ed Davis is one of America's most famous crimefighters," said Chick, who chairs the council's Public Safety Committee.

Davis, who retired from the LAPD in 1978 and went on to serve 12 years as a state senator from Valencia, is credited with overseeing major changes in the department following the Watts riots in 1965. He created the neighborhood watch program, the Basic Car Plan and team policing, recalled Mayor Richard Riordan.

Davis was also the first chief to launch a community policing program, Riordan noted in a letter to the Police Commission.



Edward M. Davis, 1977  
A modern-day Robert Peel

"Everything we have accomplished in community-based policing can be traced back to the work of Chief Davis," the commission's president, Edith Perez, told The Los Angeles Daily News.

If the City Council approves Chick's motion, the naming will be part of the opening ceremonies Oct. 26 at the center, which includes state-of-the-art facilities for firearms training and pursuit driving.

A former president of the International Association of Chiefs of Police, the 81-year-old Davis said he was deeply moved by the proposal. A Los Angeles native, he served in the department for 38 years, starting out as beat cop and rising through the ranks. Davis is credited with writing the department's first policy and procedure manual and developed training programs and standards that are now required by the California Commission on Peace Officers Standards and Training statewide.

"I am honored and I am humbled that 20 years after I retired, they still think of me this way," Davis told The Daily News. "It's wonderful."

## Sartorial splendor

It's not always what you wear, but how you wear it. That kind of thinking has brought success to a select number of the nation's police departments that were recently recognized for their sartorial splendor by the National Association of Uniform Manufacturers and Distributors.

The best-dressed police in the country in 1998 could be found literally from coast to coast, from Los Angeles to Buncombe County, N.C.

In addition to the Los Angeles Police Department, which won for best agency over 200 officers, and Buncombe County, which took honors among county agencies, the association cited the Indian Hill, Ohio, Police Department (under 200 officers), the Connecticut Department of Correction (state agencies) and the 42nd Military Police Department in Fort Bragg, N.C. (specialized agencies).

Outstanding achievement honors went to the Long Hill Township, N.J., Police Department, the Alexandria, Va., Police Department, the Chesapeake, Va., Police Department, the Fort Myer Military Police Company in Virginia and the Alameda County, Calif., Sheriff's Office.

Long Hill Police Chief Robert

Falzarano, whose department has been honored twice before, in 1987 and 1996, knows the importance of projecting a professional-looking image. "Wherever I go, people come up to me and say, 'Your officers look very sharp,'" he told The Newark Star-Ledger.

Long Hill police sport a polyester/Dacron uniform that includes crisp dark blue pants with a 1 1/4-inch gold stripe down the side, a 2 1/4-inch braided black gun belt, and solid dark blue ties. In fact, the agency has a 15-page policy describing in detail how the department's uniform is to be worn, right down to the razor-sharp creases in their trousers and the tip of the tie falling to the bottom of officers' belt buckles.

"If you're going to have uniformity in any organization, no matter how big or small, you need a written policy," noted Falzarano. "If you look at the uniforms of the Long Hill Township police officers, the equipment is exactly the same on every officer."

Long Hill police Lieut. Michael Peoples says jokingly of officers, "We don't let them out on the street with white tube socks."

The sharp-looking police are a source of pride for local residents as well. "We do the creases. It's up to us to make them look good," said Ramona Dauterio, whose dry-cleaning shop in Stirling cleans more than half of the uniforms for Long Hill's 29 officers and five dispatchers.

## Look no further

Following a search that at one time considered 10 in-house candidates, Denver Mayor Wellington Webb chose as the city's new police chief the man who for three years had been the former chief's right-hand man, Deputy Chief Tom Sanchez.

The appointment, announced on Aug. 28, ended what some felt was two months of uncertainty about who would succeed David Michaud, who retired after 31 years with the Denver Police Department, six of them as chief.

Sanchez, 49, a 29-year Denver PD veteran, becomes the city's first Hispanic police chief.

The intensely awaited announcement came just a few hours after the Mayor conducted a final interview with Sanchez to be sure he had the right "chemistry" and was committed to community policing, according to The Denver Post. Some quickly hailed the Mayor's choice as a vote of confidence in the department.

"If he's looking for continuity, it makes sense," said Mike Stack, president of the Police Protective Association. That view was echoed by City Councilman Ed Thomas, a former Denver police officer, who noted, "The Mayor must be very pleased with the status quo of the Police Department."

At a press conference in which he presented his new chief to reporters, Webb said that the appointment was important to maintain "consistency with the administration."

Sanchez, whose candidacy had the support of Michaud, the former chief, called the appointment "an absolute honor," and said he would run the department with a mix of community policing and more traditional approaches.

"It's a balance," Sanchez said at the

press conference. "A lot of people think of community-oriented policing as soft on crime — touchy-feely. That's not the case." Although the new chief emphasized that he wants police officers interacting with people rather than sitting behind desks at headquarters, he told The Post prior to his appointment, "We still need people who can solve homicides and catch drug dealers."

No quick changes are planned by Sanchez. Likening the department to an aircraft carrier, he noted: "You turn it in degrees. You don't make a U-turn."

Sanchez, who joined the DPD in 1969 as a cadet and became an officer one year later, rose through the ranks and served as commander of the gang unit and chief of the traffic and patrol divisions before being appointed as deputy chief in 1995. He is a graduate of Metropolitan State College.

The other finalist for the chief's job, Capt. Gerry Whitman, was promoted by Sanchez to patrol division chief.

## A new feather

Robert C. Wadman, the multifaceted former police executive, criminal justice professor and author, has another feather in his cap: researcher.

In August, Wadman was named as a senior research associate with the Gallup International Division of Public Safety (GIDDPS), a unit of the Gallup Organization.

The author of "Community Wellness: A New Theory Of Policing," Wadman had been a member of the criminal justice faculty at Weber State University in Ogden, Utah, prior to joining Gallup.

"We are extremely honored to work



Robert C. Wadman  
His career at a Gallup

with someone of Dr. Wadman's caliber," said Paul Bryant, a Gallup vice president and division manager of GIDDPS. "He brings a lot of hands-on experience to our team."

Wadman's broad law enforcement experience includes terms as police chief in Omaha, Neb., Aurora, Ill., Wilmington, N.C. and Orem, Utah. He has also served as Utah's deputy commissioner of public safety.

As senior research associate,

Wadman will have direct responsibility for public safety research and development. According to a statement released by the firm, the mission of GIDDPS is to improve the quality of life in communities by improving communication between citizens and municipal departments.

The organization conducts research and develops services that will assist public safety departments in the selection of employees, the measurement of their performance and the evaluation of service quality. The last senior scientist to work for GIDDPS was Lee P. Brown, the former New York City police commissioner who is now Mayor of Houston.

Wadman holds a doctorate from Idaho State University. He earned bachelor's and master's degrees from Brigham Young University.

## Chiefs' chief

Thomas C. Frazier's road to the front ranks of the police profession has taken him from a street beat in San Jose, Calif., to the commissioner's office in Baltimore and now to the top office in the Police Executive Research Forum.

Frazier, who had been an at-large member of PERF's board of directors, was elected president of the group in a special election held in August, in which he defeated Charlotte, N.C., Police Chief Dennis Nowicki. Frazier succeeds Gil Kerlikowske, the former Police Commissioner of Buffalo, N.Y., who resigned from PERF after he was recently named deputy director for support services at the Justice Department's Office of Community Policing Services (COPS).

Baltimore's Police Commissioner since 1994, Frazier first entered law enforcement with the San Jose Police Department in 1967. He rose through the ranks, commanding every bureau in the agency until he became Deputy Chief of the Bureau of Field Operations, his last assignment there before winning the Baltimore job.

"He's brought tremendous innovation to Baltimore," said Joseph E. Brann, Director of the COPS Office. "[Frazier] is open to new ideas, and while you know very clearly where he stands on issues, he's more than willing to hear different perspectives and views."

All of which should serve Frazier as PERF's president. As a member and officer of the organization, Frazier was instrumental in getting the Baltimore department involved in PERF's Reducing Repeat Victimization of Residential Burglary project and, last year, in testing the viability of 311 as an alternative to 911 for non-emergency calls for service.

"Tom has been an active and long-time supporter of PERF and its ideals," said Kerlikowske. "He'll certainly do an outstanding job in the position of president."

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## Money talks, child molester takes a walk

Residents of Dilley, Ore., were appalled at the idea that a convicted child molester would be moving into town, but rather than burning Jonathan I. Hawes out of his home or taking other violent action, his prospective neighbors decided on a more creative and peaceable solution: They bought his house out from under him.

Three neighbors pooled their money and struck a deal with Hawes's mother in August to buy her house for \$250,000. They put down \$50,000 and took out a mortgage for the balance. They expected to close on the property in October, then turn around and resell it.

Hawes, 29, had served nearly five years in prison for sexually abusing two 10-year-old girls whom he followed home from school in 1993. Due for release in mid-August, he had planned to move into his mother's house on Puma Lane, about 200 feet from a school bus stop. Six families with 10 children live along the winding dirt road.

Bob Severe, Hawes's parole officer, said the home seemed to meet the basic surveillance requirements for freed sex offenders, but neighbors claim the property is too isolated. The house owned by the convict's mother, 50-year-old Wendy Brewton, sits in the middle of 27 acres of pasture, miles from the nearest police station. The chest-high grass, the neighbors say, provides the perfect cover for a sexual predator.

"They should put him in a place where he can be watched, not be watching us," a neighbor, Christie Unger, told The Associated Press. "He's got plenty of old tractors on the land to bury bodies with."

Under the state's version of the 1996 Federal statute that requires neighborhoods to be notified when a convicted sex offender moves into the area, police can alert residents when the offender has

been classified as predatory. So far, it has not been determined how Hawes will be classified.

Residents of Dilley, a town of less than 400 residents about 25 miles west of Portland, were told about Hawes's plans to move home by Brewton's daughter. For months, residents had looked into buying guard dogs and studied up on the legal guidelines for using lethal force. At a community meeting held in July to discuss the

## Community takes action, so parolee can't go home to mother.

Hawes situation, one of the least violent proposals heard was a plan to burn the house down, recalled Steven Frederickson, a father of two. At one point, a community member shouted at Brewton, "When can I kill him?"

Paul Unger, a neighbor whose home is a playground for his four grandchildren, said, "We wanted to persuade [Hawes] that we hated him so much that people here were bearing arms."

Ultimately, cooler heads prevailed, with Frederickson and at least two others agreeing to pay Brewton the average of two state-approved appraisals on her property. Even strangers pledged money to help the deal go through.

Said Brewton, "If everyone in the community hates you, wants to sue you, wants to do you bodily harm, do you really have options at that point?"

Brewton and Severe admitted to having no idea where Hawes will now go upon his release from prison, but it won't be to his mother's house.

## Four-step anti-crime effort starts with street barricades

Newark PD tries to control access in troubled neighborhoods

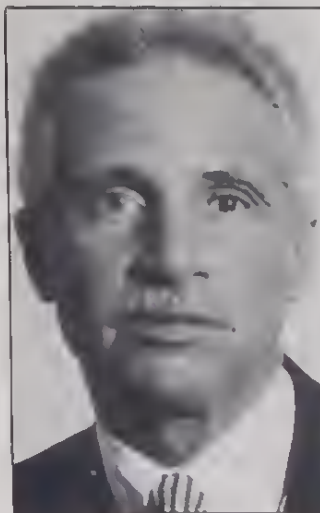
Barricades, police officers and cars with flashing red lights have become fixtures at street entrances in locations throughout Newark, N.J., as part of a strategy by the city's Police Department to limit vehicular and pedestrian access to drug- and violence-prone areas.

The Violence Reduction Task Force, composed of 115 newly graduated officers and 38 newly promoted sergeants, is also aimed at providing a controlled, secured environment as both a deterrent to crime and as a means of improving relations between police and the community.

The barricades are the first stage of a four-step strategy. After blocking the streets, officers check license plates and tow unregistered and illegally parked vehicles from the area. Then the Fugitive Drug and Violence Task force is mobilized, arresting those individuals in the area with outstanding arrest warrants. The final step involves the department's Community Affairs Division, as officers hand out flyers containing crime prevention tips and organize block watch and tenant groups in the area.

The overall strategy is backed by efforts of the Youth Gang Violence Task Force and the Narcotics Section.

"Since Aug. 10, the task force officers have been deployed in various locations throughout the city that have the highest incidence of crime and quality-of-life complaints," Police Director Joseph J. Santiago said in a statement,



Police Director Joseph Santiago  
"Final blow" to drugs & crime

noting that the sites are chosen for each district during weekly anti-crime strategy conferences. All of the locations have statistically high occurrences of robberies, shootings and drug complaints.

Newark is the latest in a growing list of cities to adapt and apply the principles of the crime-fighting approach known informally as Compstat that was pioneered by the New York City Police Department.

At any given time, the task force concentrates its efforts primarily on a single identified location in each of the

four police districts. Thus far, barricades have been erected and extra patrols deployed on nearly a dozen streets, including main thoroughfares and side streets, as well as on the roads surrounding two public housing complexes.

"Residents in the selected areas have been crying out for help," observed Mayor Shurpe James. "With the task force's foot patrols and concentrated police intervention, crime will be reduced, thereby improving the quality of life of not only the targeted areas, but throughout the city."

Santiago called the task force's officers "the first step in delivering the final blow to drug dealing and its related crimes, robbery and homicide." He said the final step would occur with the hiring of an additional 200 officers, which is expected later this year.

The effectiveness of the strategy is being monitored by regular visits to the sites by Santiago and his top uniformed commanders.

According to police statistics for the first half of this year, serious crime has declined sharply in six of seven major crime categories compared to the same period in 1997. Rape and auto theft are each down by 17 percent, robbery has decreased by 12 percent, larceny-theft is down by 24 percent, and aggravated assault and burglary have declined by 32 percent and 35 percent, respectively.

Only homicides have increased, from 25 in the first six months of 1997 to 27 in the same period this year.

## Hard work on Saturday morning gets troubled teens' attention

Charlotte cop scores in creating community service effort

Confirming the belief that there is no way to get a teen-ager's attention faster than waking them up early on a Saturday morning to do an unpleasant chore, a Charlotte-Mecklenburg Police Department program for young troublemakers has proven to be a success.

SAVE-A-Kid, developed by Officer Chandos Williams, was recently named a semifinalist for the 1998 Webber-Seavey Award, a national honor that

recognizes innovation in community policing.

Williams, a community police officer in the Adam 1 district in Mecklenburg County's southwestern corner, knew as soon as he arrived there that more than 85 percent of problems in the community were caused by juveniles. Arresting them for underage drinking or damaging property, however, proved frustrating.

"Sometimes the kids would beat me home from the intake center," he told The Charlotte Observer. Community service sentences were often poorly supervised or involved such easy work that they didn't make much of an impression. So Williams decided to hit the kids where they lived: Saturday mornings. "It gets their attention by taking them away from something that's gold to them."

In January 1997, Williams told a number of judges that he was willing to be the community service coordinator for targeted teen-agers. The offenders, who range in age from 12 to 21, come to the program from two sources: about 30 from the juvenile court system with sentences ranging from 24 hours to 100 hours of community service, and some 200 others who are serving school-ordered punishment as an alternative to suspension. Participants get five hours of community service credit for each Saturday, or credit for one day of school suspension.

The first group of 14 juveniles filled more than 500 trash bags with roadside debris and painted two graffiti-covered

bridges. Some teens worked alongside officers they had assaulted. Others are required to wash police cars. The common thread is the requirement that they report to a district police station at 8 A.M. to begin a hard day's work.

"For most of the students it was extremely effective," said Joyce Ambrose, the principal of Kennedy Middle School, which served as a pilot site for the program. "In most cases, the kids came back on Monday and told the other kids, 'Man, you do not want to do this. It is hard work.'"

In addition to making believers out of some participants, the program has also caught the attention of Police Chief Dennis Nawicki, who has recommended that each of the department's districts start similar efforts.

While a few of the court-ordered participants failed to complete the community service, others who did fulfill the sentences have stayed out of trouble. About 25 of the school participants have gotten into trouble after SAVE-A-Kid, but that's about half the rate of repeat offenses among children who are suspended, according to school officials.

### Share the wealth:

Every issue of Law Enforcement News contains a wealth of useful ideas. Share this copy with a colleague, and you'll both be the better for it.

## No-nonsense DUI message from stern-faced Ga. cops

The message being sent to motorists by nine metro Atlanta police agencies is absolutely no-nonsense: "DUI is our business. Stay out of our business." But if that catch-phrase is not enough to drive the point home, the billboard unveiled in August has the words appearing to come from a line of stern-faced police officers, their arms akimbo, glaring out at passersby.

"We want to let them know we are out there," said Sgt. John Gardner, commander of the DeKalb County Police Department's Strategic Traffic Accident Reduction Team. "We have not abandoned our mission. Some people think we have."

Georgia has a legal intoxication level of .08 percent, one of the highest in the nation. There is also a new teen driving law, which revokes the license

of anyone under 21 who registers a .02. DUI-related fatalities dropped statewide from 362 in 1996 to 347 last year, but they remain a serious concern, with some jurisdictions suffering more than others.

"We definitely have a problem," Henry County Patrolman John Wolcott told The Atlanta Journal-Constitution, noting that 28 of the 31 traffic fatalities recorded in the county since 1996 involved intoxicated drivers.

According to Troy Ayres, regional administrator for the National Highway Traffic Safety Administration, an estimated 40 percent of all fatal crashes are alcohol-related. Nationwide, officers arrest 1.4 million drivers for DUI each year, he said. "About 30 percent of us will be involved in a drunken-driving crash in your lifetime," Ayres said.

The billboard, which was donated by a local advertising company, made its debut on Jimmy Carter Boulevard in Atlanta just south of Interstate 85. In the coming year the sign will be moved to other spots around the metro area.

Officers who have joined DeKalb and Henry counties in their anti-DUI mission include those from the Georgia State Patrol, the Cherokee Sheriff's Department and agencies in Atlanta, Clayton, Cobb, Fulton and Gwinnett counties, said Gardner, who also organizes meeting for officers to hear from judges, prosecutors and others on how to make stronger DUI cases.

"If you are going to be irresponsible enough to get behind the wheel of a car when you're impaired, you're going to get arrested," he said. "The only place I'm going to take you is to jail."



# Waco fallout still being felt, as ATF agent wins \$1.3M judgment

First came the fire and smoke. Then came investigation and litigation.

More than five years after a deadly raid by Federal agents on the Branch Davidian compound in Waco, Texas, repercussions are still being felt. In the latest development, an undercover agent with the Bureau of Alcohol, Tobacco and Firearms who tried to stop the raid won a \$1.3-million judgment against a prominent police psychologist for violating the agent's right to confidentiality.

On July 30, following a three-day trial, a Federal jury in Waco awarded agent Robert Rodriguez \$1.074 million in actual damages and an additional \$234,000 in punitive damages against Dr. Roger Solomon, the psychologist who was an ATF-paid consultant at the time of the raid on Feb. 28, 1993.

According to The Dallas Morning News, Solomon, then a psychologist with the Washington State Police, was brought in to counsel Rodriguez and others in the aftermath of the ATF operation. A firefight that accompanied the raid took the lives of four ATF agents and five members of the Branch Davidian cult.

Following a 51-day standoff that evolved out of the raid, FBI agents assaulted the compound and a fire erupted that destroyed the compound, killing more than 70 Branch Davidians, including the group's leader, David Koresh.

Rodriguez had spent months infiltrating the cult and was sent into the group's compound hours before the raid to help determine whether the operation should proceed. ATF officials originally insisted that they did not know the raid had been compromised until after the gunfight erupted. However, a subsequent investigation conducted by the Treasury Department concluded that Rodriguez had tried to warn his superiors that the Branch Davidians had been alerted to the impending

raid and that ATF officials covered up their decision to go ahead and tried to blame Rodriguez for the debacle.

Rodriguez's attorney, Dicky Grigg, said following the jury's decision: "This was a real emotional victory for him. He is elated and looks at this as a personal vindication."

Grigg said the trial included testimony that Solomon told a senior ATF official in the weeks following the raid that Rodriguez had told his superiors to go ahead with it. Solomon denied the charge, but former Deputy Treasury Secretary Ronald Noble testified in a deposition presented to the jury that Solomon had admitted to violating Rodriguez's confidentiality rights.

Last March, three ATF officials who were codefendants with Solomon reached out-of-court settlements with Rodriguez several months before the U.S. Court of Appeals for the Fifth Circuit dismissed the agent's claim against all ATF managers involved in the raid. The court ruled that the officials could not be sued because they were acting in their official capacity as Government employees during the raid and its aftermath.

Rodriguez, along with dozens of other ATF agents involved in the raid, also received a portion of an out-of-court settlement with The Waco Tribune-Herald, television station KWTX and a Waco ambulance service.

The agents alleged that employees of the companies alerted the Branch Davidians to the raid. While the companies denied any wrongdoing, they settled the case with a confidential payment of \$15 million. The Morning News reported.

Rodriguez remains a defendant in a pending wrongful-death suit filed by surviving Branch Davidians and relatives of the dead cult members, who allege that Federal officials deliberately planned the siege and fire.

# Coming along, with far to go

## Civic watchdog group sizes up Philly PD

Continued from Page 1

"everyone interviewed agreed...was flawed," the report said.

Such an approach does not provide a reliable measure of competence, according to the report, and forces the outside experts "to make quick judgments based on brief interactions and without knowledge of what type of philosophy or style the commissioner is promoting."

Reforms in the management-level appointment process are linked to the experts' frequently-cited recommendation that control be decentralized within the PPD and that, wherever possible, management tools be placed directly in the hands of district captains. To help assure that accountability goes along with command responsibility, clear and accurate measurement of performance is essential, the consensus of experts concluded, along with a system of rewards for outstanding officers and "demonstrative steps" against those whose performance is found lacking.

The report goes on to cite problems with the existing departmental disciplinary system, with the city's Fraternal Order of Police singled out for some of the blame on the issue. The FOP is the recognized bargaining agent for all sworn members of the department, a fact that many of those interviewed by the Committee viewed as a clear conflict of interest when high-ranking officers need to discipline subordinates.

The process of disciplining or dismissing officers has become so cumbersome and time-consuming, many observers said, that most supervisors are unwilling to engage in it.

Some members of the PPD command staff should be separated from the FOP or have another bargaining unit created for them in order to eliminate real or perceived conflicts of interest, interviewees said. "There is something very destructive to day-to-day management to have the FOP cover everyone," one expert told the Committee.

Any change in the existing collective-bargaining arrangement would require either the consent of the FOP or an amendment in a 1968 state law that mandated a single bargaining unit for all Philadelphia police officers.

The question of who those Philadelphia officers will be in the future was one that also drew the Committee's attention, with its focus on recruitment and residency requirements identifying a number of potentially troublesome hurdles.

The PPD, which only began requiring a high school diploma of its recruits in 1989 — the last major city to implement such a requirement — should raise the bar still further, according to most experts surveyed by the Committee. An entry-level minimum of an associate's degree or several years of college "would result in a more highly qualified and skilled police force less likely to break the law," according to the report.

Such a reform is not without its detractors, however, with some elected officials and civic leaders voicing concern that requiring a college education would adversely affect minority recruitment.

The Committee's report also showed broad support among interviewees for raising the minimum age for recruits to 22 from the current

19 and for making the physical fitness requirements more rigorous. As one officer observed, "We're getting into situations where the bad guys are out-running our newest recruits, and that's just not right."

Philadelphia is one of only two major cities in the United States — along with Boston — that require police recruits to be city residents for a year prior to appointment, according to the report, and most experts felt that the pre-employment residency rule should be modified or eliminated. "Why should we feel threatened by outsiders?" asked one department official. "And why wouldn't we want the most qualified police force?"

Nonetheless, the report said that strong support remains for the existing

**Suggestions for improvement:**  
Raising the minimum entrance age and educational standard;  
tougher physical fitness requirements, and changing the residency rules

pre-employment residency requirement, based on the notion that "city jobs only go to city dwellers."

Eliminating the rule would require action by the City Council to amend a 1953 ordinance and its accompanying Civil Service regulations. However, the Civil Service Commission does have the authority to waive the residency requirement for cause, and the report noted that mass waivers could be granted to certain classes of applicants, thus effectively eliminating the requirement in some cases.

There was unanimous endorsement among the experts interviewed for retaining the requirement that police officers live in the city once they are on the job.

Even if changes in entry-level requirements are effected, problems appear to remain with the Police Department's overall recruiting process, with experts saying they found "little evidence" that the department is trying to work effectively within statutory and court-imposed constraints to attract the best applicants.

The Committee's report also found support for making the department's pre-employment background investigations more comprehensive and reducing an over-reliance on the use of polygraph exams. Criticism was directed at the PPD's entry-level exam as well, with many stating that the current test appears to have no correlation with identifying who would be the best officers.

Among other issues cited by experts interviewed for the Committee's report:

❑ The current criteria and goals to be used for performance evaluation are unclear

❑ Departmental transfers should be conducted in a fair and impartial manner, based on merit rather than connections.

❑ Promotions should be based solely on aptitude for the job and past performance

❑ Create a system of material rewards for performance and salary increases for officers who earn bachelor's or master's degrees.

# Sport utility vehicles are America's latest 'hot wheels'

When you're hot, you're hot, and right now Chrysler's Jeep Grand Cherokee is the "hottest thing on the table" when it comes to stolen vehicles.

So says Detective Sgt. Ray Collins of the Michigan State Police's western Wayne County auto theft unit, who told The Detroit Free Press recently that thieves in his jurisdiction are "natchin' [Cherokees] left and right now for parts."

America's current love affair with sport-utility vehicles (SUVs) is quickly translating into the latest infatuation

among car thieves. Where once the list of most commonly stolen vehicles was dominated by "muscle" sports cars or luxury sedans, currently the top four stolen cars in the country, according to the Insurance Institute of Highway Safety in Arlington, Va., are the Jeep Wrangler, Suzuki Sidekick, Toyota Land Cruiser and Geo Tracker — all SUVs.

In Michigan, the heartland of the American auto industry, Jeep Grand Cherokees have consistently ranked near the top of the list of the most fre-

quently-stolen vehicles, according to the state's AAA and the National Insurance Crime Bureau. The SUVs are being stolen for their parts, such as doors or seats, to replace those damaged in accidents, according to Collins, who said the vehicles are for the most part stolen from suburban areas and then dumped in Detroit.

The Cherokees, he feels, are "an easy steal."

Sjoerd Dijkstra, a spokesman for Chrysler, pointed out that in 1997 the company came out with a microchip-equipped key that transmits a signal to the SUV's computer system, allowing the engine to start. The key costs \$75, which Dijkstra called a cheap and fool-proof option.

Chrysler is also considering eliminating points of entry into the vehicle by limiting the number of keyholes to just the driver's side door, with none on the passenger side or tailgate.

But black-market parts are not the only reason the SUVs are increasingly the focus of thieves' attention. The trucks are often sought out by thieves for the "toys" their owners often leave inside them — sometimes in plain view.

"These are \$30,000 vehicles, and by the time you load them up, you're talking about a \$40,000 luxury sport-utility vehicle," said Neil Wisner, a spokesman for the National Insurance Crime Bureau.

"If I'm looking for something to pawn, like a cell phone or radar detector, I'm not going to break into an '82 Buick," he told The Free Press. "I'm going to smash into one these and hope the guy left his Rolex in the glove box while he's at the golf course."

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# Cleaning house with a big broom

## LAPD chief shows why he earned a reputation of zero tolerance for misconduct

When Los Angeles Police Chief Bernard C. Parks was appointed last year with a mandate to clean house and to demand accountability throughout the department, he brought to the position a reputation for tolerating no misconduct among his officers.

Now, having just marked his first anniversary in office, he's proving that the reputation was not undeserved.

Over a six-month span ending in August, Parks terminated 19 officers, compared to four that were dismissed during the same period a year earlier.

In a report to his superiors at the Police Commission, released Aug. 18, Parks spelled out precisely why these officers got the ax. While the report does not divulge the names of the officers and provides only a brief description of the misconduct, it does reveal that officers were dismissed for a wide variety of acts, including one for soliciting a bribe in the form of tickets to Dodgers games, one who threatened to kill his wife and child, another for committing "sex acts" on duty, and a fourth for running an illegal pyramid scheme.

The Los Angeles Times said the report was made in an attempt to blunt criticism by police union officials, who see Parks as an arbitrary and harsh disciplinarian. In the report, Parks stated: "Authority to discipline tenured officers rests solely with the chief of police. However, with that authority comes the responsibility to ensure a fair and consistent application of discipline, prefaced by clearly delineated expectations."

The report, he told The Times, "dispels the myth" of any unnecessarily harsh treatment.

In addition to the terminations — a total of 29 over an 18-month period under Parks and former chiefs Willie L. Williams and Bayan Lewis — 65 officers were suspended for 22 days or more.

Of the officers fired during that period, ending in June, one-third were guilty of "conduct unbecoming" an officer, ranging from the improper use of department computers to bigamy. Six were terminated after being found guilty of "dishonesty," four for improper remarks, two for domestic violence and one each for theft, unauthorized use of force, alcohol abuse and psychological unfitness.

Three officers are currently under investigation for allegedly lying in court and filing false reports, according to prosecutors. One of those being investigated, Edward Ruiz, 34, an eight-year veteran, was suspended for 22 days this year after an internal investigation found he had lied in connection with a 1995 arrest on a misdemeanor charge of carrying a loaded gun in public.

Ruiz wrote that he and his partner arrested Victor Tyson and another man because the pair fled through a darkened area after he saw them standing next to a broken store window. He claimed Tyson threw his gun down.

However, the prosecutor in the case said the window had never been broken and that the area was too dark to see if Tyson had thrown his gun down. The LAPD's Board of Rights found Ruiz guilty of perjury and writing a false report in the case. Parks said he did not believe suspension was sufficient punishment, but he did not have the power to increase it.

In August, Officer Rafael Antonio Perez, a nine-year veteran, was arrested on charges of drug possession, grand theft and forgery. Perez, 31, allegedly removed and never returned about 6½ pounds of cocaine from the property room on March 2 by forging on the evidence log the signature of a police officer with the same last name.

Moreover, said Deputy District Attorney Richard Rosenthal, Perez tried to sell a kilo of cocaine through a confidential informer last December, and he also lied in court to obtain

leniency for two drug dealers.

Authorities now suspect that one of the dealers, with whom Perez was believed to be romantically involved, distributed the three kilograms of stolen cocaine.

Despite problems of misconduct, brutality and other offenses by officers, even some of its harshest critics say the LAPD lives up to its reputation for incorruptibility.

"If anything, it's been a consistent theme that the LAPD has done a good job when it comes to that issue," said Paul Hoffman, a civil rights lawyer and former legal director for the local chapter of the American Civil Liberties Union local chapter.

Somewhat closer to home, however, the president of the Los Angeles Police Protective League, the city's rank-and-file union, suggested that allegations of sexual and other misconduct against another union official were made in retaliation for criticism of Parks.

Sgt. Dennis Zine faces 13 counts of misconduct against Officer Denise Ward, who has also filed a civil suit against him. Ward claimed that Zine made sexual advances to her during a business trip to Canada last year, and later put a container of urine and several condoms in her luggage after she rebuffed him.

Parks ordered Zine relieved of duty pending resolution of the charges, but the order did not immediately take effect because the sergeant was out of town on vacation and could not be served in person.

Zine is said to be an outspoken critic of Parks, and union president Dave Hepburn said the PPL is not ruling out the possibility that the charges are a form of payback by the Chief.

"Any time one of the union directors is charged by the Chief of Police, there is a concern of it possibly being retaliation," Hepburn said. "We're exploring that possibility."

### Learning curve ahead:

## Police get bigger role in NYC school safety

In the end, years of divisive public debate and political wrangling gave way Sept. 16 to unanimous approval of a plan for the New York City Police Department to assume overall control of safety and security in the city's sprawling school system.

Overriding the concerns of parents, teachers and community leaders, the seven-member Board of Education adopted what one member described as a "compromise" plan to have the Police Department take over the management, recruitment, training and deployment of the Division of School Safety's 3,200 unarmed officers.

Police officers currently patrol 128 of the city's 1,100 schools at the request of principals, and school and police officials said the plan does not call for increasing that number.

"I don't expect initially that there will be any major change," Police Commissioner Howard Safir told Newsday, noting that the difference will be "on training, vetting and deploying the school safety officers in the best possible way."

The board's vote was seen as a resounding political victory for Mayor Rudolph W. Giuliani, who has battled for years with previous school administrators and board members over his desire to vest school security in the hands of the Police Department.

One of those who has opposed the Mayor on the issue of a police takeover is Schools Chancellor Rudy Crew, who now supports and helped develop the compromise plan because it will not automatically put more officers in school buildings.

"This has always been about maintaining safety for children, to, from and while in school," Crew said before the board's vote. The Chancellor went on to restate his opposition to putting

armed officers inside every school, noting: "These are educational institutions. These are not penal institutions."

The fear of a prison-like atmosphere in the schools, along with references to strained relations between the police and black and Hispanic youth, has fueled much of the opposition to the plan to involve the police in school security. The compromise plan addresses some of those concerns by providing that police would need a court order or parental approval to obtain student records, and that teachers would be consulted before police officers are brought into schools.

The plan, which is to go into effect for an initial four-year period by Nov. 1 if possible, but no later than Jan. 1, 1999, also calls for parent and teacher involvement, along with school principals and police, in developing individual school safety plans.

Other elements of the plan, as outlined in an Aug. 17 draft agreement between city and school officials, include:

■ The Police Commissioner will designate a deputy chief to command school security personnel. Each precinct commander will appoint one or more uniformed supervisors as permanent liaisons to principals in the precinct's schools.

■ Police officers, "to the fullest extent practicable, in instances not requiring immediate arrest or other immediate action, shall consult with the principal of a school or his or her designee prior to placing a student...under arrest...[and] whenever possible shall notify principals prior to placing a student under arrest." Officers shall take into account "any information provided by [the] principal" about the student, such as behavioral history

■ The precinct commander and

school district superintendent would attempt to work out any disputes between the police and a principal. Should such efforts fail, the dispute would go before a joint committee to be established by the Mayor and the Schools Chancellor.

■ The Police Department will conduct background checks of school safety officers.

■ NYPD training for school safety officers will include a focus on "the unique culture, diversity and structure"

of schools and relevant rules and policies.

■ The Police Department and the school system will continue to keep separate incident reports.

The day after the Board of Education's vote, school officials released a report showing that while serious crimes in the schools decreased slightly last year, the total number of incidents rose by 30 percent. Sixty-one percent of the reported incidents were classified as minor violations, such as

trespassing, loitering and student fights not leading to arrests.

There was a 12-percent drop in serious crimes committed against people, such as rape, robbery and assault. Serious crimes against property, meanwhile, soared by 38 percent.

School officials attributed the overall increase to better incident reporting. The school system is currently in the final year of a three-year effort to overhaul the collection and analysis of data on school crime and discipline.

## 'Patronage scheme' for PD gets an abrupt heave-ho

A secret plan that allowed commissioners of the Port Authority of New York and New Jersey to influence hiring in the agency's Police Department — a plan harshly criticized in some quarters as a patronage scheme — has been abruptly withdrawn after New Jersey Gov. Christine Todd Whitman became aware of it.

The plan would have allowed commissioners each to nominate two candidates to the police academy and place them atop the list of 6,200 applicants who passed the most recent written examination. The candidates would be spared protracted waiting periods — in some cases stretching to months or even years — and would be the first to undergo the required medical and psychological examinations.

The Port Authority Police Department's 960 officers are responsible for policing bridges and tunnels, bus stations, airports and other facilities throughout the metropolitan area, and their base pay of \$60,000 per year is roughly 30 percent higher than that

of officers in the New York City Police Department.

According to reports in The New York Times and The Newark Star-Ledger, the controversial hiring plan was never reported in the minutes of the commissioners' meeting that was held in late July. After learning of the plan in early September, Whitman wrote a letter to the board saying she found it "most troubling" and demanded to know why the policy change had been left out of the board's minutes.

Peter McDonough, a spokesman for the Governor, told The Times: "She was very disappointed, because it is reprehensible to politicize any law enforcement agency. If this policy had been on the minutes she would have seen it and vetoed it."

John S. Dyson, an economic adviser to New York City Mayor Rudolph W. Giuliani who is a frequent critic of the Port Authority, observed: "The P.A. has always treated its jobs like a patronage trough, so it's sad, but not surprising that they'd try to do it to the police de-

partment, too."

Police executives and numerous outside observers have long been strongly opposed to political patronage in law enforcement agencies, but the head of the Port Authority's police union appears far from disturbed by the idea, saying it was unrealistic for a police department to be held to a different standard than other governmental agencies.

"What isn't politicized?" said Gus J. Danese, president of the Port Authority Patrolmen's Benevolent Association. "Let's not be naive. Politics plays a role in everything — the private sector, the public sector. Why be upset by something happening in the real world? It doesn't shock me. It's just a way of doing business."

Police candidates who benefited from the short-lived policy will be placed back in the general pool of applicants and the Port Authority PD will revert to allowing a computer to randomly select candidates from the waiting list.



Ryder:

## OC training: My year in hell

By Ann Ryder

Earlier this year, the North Carolina Department of Labor urged law enforcement agencies to discontinue training in which officers are subjected to direct applications of pepper spray. A report issued jointly by the Labor Department's Division of Occupational Safety and Health and the state Department of Health and Human Services concluded that exposure to airborne OC spray during training "poses a health risk to employees."

I could have told them that. In fact, I tried to. At the time the two state agencies began their two-year investigation, I was a correctional officer with the North Carolina Department of Correction, and my experience with OC training was nothing short of hellish.

For us, OC replaced CS gas. My CS training was done in the classroom where we were told the proper circumstances for CS use, where to aim, and how to decontaminate. For eight years, I was required to carry CS and to use it if necessary, without ever taking a whiff of it or having a drop of it on my skin. However, as soon as OC, the new, untested chemical deterrent spray, hit the scene, we had to be sprayed with it in order to be trained in its use.

In March 1995, I filed a complaint in Federal court asking for an injunction and declaratory relief. The state Attorney General's office, which represents the defendant, Secretary of the Department of Correction Franklin Freeman, agreed not to compel me to be sprayed until my case was "ultimately resolved."

My case was based on 14th Amendment protections. Our right of bodily integrity is guaranteed under the Liberty Clause, and that same amendment also protects our property rights. OSHA regulations and agency and unit safety policies were my "property." The defendant took this property from me without due process. Furthermore, the state cannot infringe on our bodily integrity unless there is overwhelming justification,

(Ann Ryder is a retired North Carolina correctional officer.)

such as national security. Case law is very clear on this. We know from *Garrity v. New Jersey* that we "are not relegated to a watered-down version of constitutional rights."

Our OC training consists of a couple of hours in the classroom discussing policy and how very safe OC is. We were told, "You can spray it on your food and eat it." Then we were stood up in front of the unit's garbage Dumpster and sprayed

our department switched to a third-party workman's compensation provider. I feel this was done in order to add another layer of bureaucracy and frustration onto the officers trying to obtain appropriate care and recognition of the OC-caused injuries.

The defendant's medical expert testified during deposition that his medical report was actually written for him by the Attorney General's

I was forced to decide whether surrendering my right to bodily integrity and freedom from pain was worth continued employment as a correctional officer.

with two one-second blasts of 10-percent OC in a coherent stream between the eyes. We are led to the water hoses, where we hack, gag, cough, retch, moan, cry, cuss and drown. Medical staff walk among the trainees with pre-filled syringes of Benadryl and epinephrine. They hold our eyes open and spray them with milk. After we are decontaminated, we are issued OC canisters and holsters. I kid you not!

### Experimentation, not training

It is obvious that officers are being used for experimentation. We are sprayed from a variety of distances. Some officers are required to keep their eyes open while being sprayed, while others are told to close them. Media coverage of the training is not permitted. Five officers from one class had to be taken to the ER, one of them unconscious. As part of pretrial discovery, we asked for further information regarding specific officers and their injuries. We asked for further information regarding inmates who had been injured during OC use in real-life scenarios. We did not get these documents and we are aware of other omissions from discovery. As injuries to trainees mounted,

the doctor testified that the reason there had been no reported injuries to the troopers who are required to undergo full-exposure OC training is because the troopers are "in-house" and "don't get away from their supervision." He admitted to being concerned and that he and a small group were attempting to obtain a grant so they could study OC. We asked for some documents in his possession that really should have come to us earlier in the discovery process, but the attorney from the AG's office who was there representing the defendant would not allow him to give them to us. Incidentally, the medical report prepared by the AG's office repeatedly refers to OC training as "testing." The day after this deposition, Judge Lacy Thornburg threw out my case. This was just one week before the pretrial conference was to be held. He had had 11 months to determine whether I had grounds to sue and he had already scheduled us for trial.

Judge Thornburg had been the state's Attorney General for eight years before becoming a Federal district judge. The AG's office defends the Department of Corrections in all its many suits. Thornburg was an active, hands-on AG who "enjoyed policy-making" and was "involved with an

excellent staff with whom he interacted daily." He was the AG when policy and lesson plans for full-exposure OC training were being formulated by the AG's office and DoC officials. With a staff of roughly 200 attorneys, I cannot imagine that Thornburg would have allowed some of them to make a decision without his input and authority that would cost hundreds of thousands of dollars and affect the lives of thousands of officers and their families. Documents show that DoC officials originally recommended partial-exposure training but were overruled by the AG's office. If I can get my case back into court (and a U.S. Court of Appeals subsequently vacated Thornburg's dismissal order), I will attempt to add the AG's office as a defendant and call Thornburg as a witness.

### Subject to discipline

A couple of weeks after my suit was dismissed, I was scheduled for OC training. I reminded everyone concerned that the case was not yet "ultimately resolved" and that I still had the appeal process to go through. I was told that if I didn't submit to the scheduled training, I would be subject to disciplinary charges. We know this means loss of job. I feel that by reneging on their original agreement they were attempting to bring in the mootness doctrine. Even though my case was

Continued on Page 10

## Letters

### Whose secret is it?

To the editor:

I read with great disappointment the article titled "Sounds of Silence" on page 7 of your Sept. 15, 1998, issue. The article, which details the trial and conviction of a New York City police officer for civil rights violations, begins with the following statement: "One of policing's dirty little secrets is out: The so-called 'blue wall of silence,' in which cops close ranks to minimize, cover up or lie about wrongdoing to protect accused colleagues, is now a matter of Federal record."

I would expect to read such insulting generalizations in a mainstream newspaper or magazine, or to hear them pronounced on television news or as the latest "exposé of the week" on tabloid TV. Where I would not expect to see them is in a professional journal published for those in the industry. This article, and the case it details, point to a problem with *three* individuals; this hardly equates to proof of a universal "blue wall" within the ranks of the NYPD, let alone all of policing. Why not begin the article by stating that "Francis X. Livotti's dirty little secret is out," rather than hold the entire profession responsible for the actions of one rogue cop?

Law enforcement, as one of the favorite targets of both legitimate and illegitimate media, takes more than its share of knocks already. It shouldn't have to suffer such cheap shots from its own.

JOHN R. SANDERS

Sergeant

Baldwin Park (Calif.) Unified School District  
Police Department

### Note to Readers:

The opinions expressed on the Forum page are those of the contributing writer or cartoonist, or of the original source newspaper, and do not represent an official position of Law Enforcement News.

Readers are invited to voice their opinions on topical issues, in the form of letters or full-length commentaries. Please send all materials to the editor.





# New DC chief unveils sweeping overhaul

Continued from Page 1

detectives back to headquarters earlier this year.

Det. Frank Tracy, president of the District's police union, told The Post that while he supports Ramsey's overall plan, he has some concern about moving detectives from headquarters to district stations. "It was done before and it didn't work," he observed. "These guys are becoming the proverbial Ping-Pong ball."

Management and leadership train-

ing are due to receive an increased share of the department's budget under Ramsey's plan, which also includes sending teams of officers and residents into the community to provide training in problem-solving.

Among other components of the latest reorganization of D.C.'s 3,555-member police force are:

¶ Four bureaus will be eliminated: patrol services, support services, technical services and human resources. In their place will be "a more logical and

streamlined command system which promotes team work, communication and geographic accountability for fighting crime." The seven full-service districts will be organized into three Regional Operations Command centers, ROCS, each headed by an assistant chief who will oversee the center from a field office rather than from headquarters. Each ROC will have a youth investigations unit, a canine unit, crime analysis capability and an executive officer.

¶ Additional officers and supervisors will be added to the city's 83 police service areas (PSAs), which were created in July 1997 as a first step toward refocusing the department in a community-policing mode. Each PSA will have a manager of captain's rank who will have 24-hour-a-day accountability and will report to the district commander. Crime scene technicians will also be reassigned to the PSAs.

¶ The city's seven police districts will be expanded to provide a full range of police services including violent-crime investigators, property-crime investigators, focused mission teams, operational support and customer services. To accomplish this, personnel will be shifted from centralized units.

¶ A Special Services Group will be created that will include emergency response, special events and major narcotics — functions described as having unique training, resource and operational needs. The group will report to the Assistant Chief in charge of Operations.

¶ A new citywide operations command will be established within the Office of the Executive Assistant Chief

to provide a 24-hour command presence to respond to and oversee major incidents.

¶ Administrative and technical functions, including human services, business services, training and operational support services, will be unified under a new corporate support structure led by an assistant chief in order to streamline the delivery of those services in those areas.

¶ The Mayor's security detail will be slashed from 15 officers to eight.

Washington police officers, who have seen proposals for reform and restructuring come and go in recent years, reacted with measured optimism to Ramsey's plan, and his vow to provide police districts with "everything they need to fight crime and disorder."

"The department has been going down, but this makes me want to do my part," Officer George Murphy, a 28-year veteran, told The Post.

Calling the plan "very realistic and very doable," Lieut. Andy Solberg of

the Sixth District noted, "I don't think you're going to find anybody who believes this can't be done."

The plan also appeared to win the early support of a key member of the D.C. Financial Control Board, Robert Watkins, a board member who oversees public safety issues said, "The object of the game — the reorganization — is to get more police officers out in the areas where they can be more effective. I think you have to start some place."

At least one observer believes that overhauling the department will do little in itself to improve performance without holding supervisors and other personnel accountable.

"It's quite clear the problems with [the D.C. police] have more to do with culture than structure," said Lawrence Sherman, chairman of the criminal justice department at the University of Maryland in College Park. "If [Ramsey] is able to hold leaders accountable for performance, that could be a key step in changing the culture."

## Criminal Justice Library

### Do Americans want kinder, gentler justice?

**The Tough-on-Crime Myth: Real Solutions to Cut Crime.**

By Peter T. Elikann.

New York: Insight Books (Plenum Press), 1996. 323 pp.

By Mark C. Bach

The author, a criminal defense lawyer, reviews the state of today's crime solutions and offers an alternative to the "lock 'em up and throw away the key" philosophy. The key issue for Americans is whether they want a kinder, softer justice, and are they willing to invest the funds necessary to experiment with his alternative?

This book joins many others in criticizing the current state of prisons, mandatory sentencing and the three-strikes rule. But such criticism must be tempered with the public's knowledge that reported crime rates in most urban centers is dropping! Liberals must be prepared to advance alternative views, while at the same time acknowledging that a conservative hard-line approach may be producing tangible results.

The author uses plenty of anecdotal cases to suggest that the judicial system is out of control. He claims, not too surprisingly to budget-minded police officials, that the main impediment to America's crime-fighting efforts is the lack of resources. Indeed, more funding for police, and the proper use of those scarce resources, can be the biggest aid to fighting crime. The Clinton Administration's fiscal support for more officers in local jurisdictions is often credited for the reported drop in crime rates. Elikann claims, though, the politicians lack the ongoing determination to fund more law enforcement efforts at the expense of other governmental functions. This actually ends up costing Americans more than the actual cost of crime.

Elikann faults the one area that politicians have supported funding for: prison construction. He feels that the prisons hold the wrong people, for the wrong reason, and at too high a price. The author criticizes mandatory sentences, plea bargaining and the use of long-term sentences for drug offenses as detrimental to justice.

An entire chapter is devoted to critiquing the "war on drugs" waged by

America. Elikann argues that jailing the drug addicts has failed to stem both drugs and the crimes related to them. Less money should be spent on law enforcement and incarceration, he argues, and more on drug treatment and prevention programs. He ridicules the attempt to interdict drugs as ineffective, and holds that prohibition in general has proved ineffective. He argues that alcohol and tobacco already are potent killers and we should not legalize more drugs to join the big two.

Once offenders are in prison, they join a population that is aging due to long sentences, and Elikann points out that the true deterrent is certainty of being caught, not the length of a prison sentence. After criticizing prisons as ineffective, he suggests that three approaches do offer hope: alcohol and drug treatment, education and work programs.

All of this leads to the author's support for alternative sanctions as means of controlling crime among nonviolent offenders. Elikann would have sentences that combine community service, job training, rehabilitation and restitution to reduce crime rates. He offers four compelling reasons to try this approach: it's cheaper; it's harder for the convict than just sitting around in a cell; it offers a low recidivism rate, and it enhances public safety by reserving prison space for hard-core, violent criminals.

This book recites the same studies that suggest the old school doesn't work and begs us to try an alternative. The big question is whether Elikann's approach would be any better. If nothing else, his thoughtful writing makes the reader consider what works in the justice system.

(Mark C. Bach, a 21-year police veteran, is currently the Administrative Sergeant for the Fort McDowell Tribal Police Department in Arizona. He can be reached at m\_bach@juno.com or (602) 816-7505.)

## Coming up in LEN:

**"Policing — from the hunt to the habitat"**

Former Edmonton "copper" Chris Braiden makes a thought-provoking return to the pages of Law Enforcement News.

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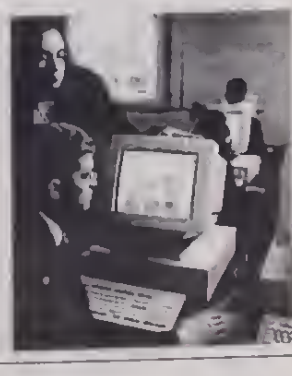
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Lawrence George Pridgen  
New York





# OC training in N. Carolina — a year in hell

Continued from Page 8

on appeal, I was forced to be sprayed. I can fantasize all I want about telling them what they can do with their pepper spray, but the reality is I was then 56 years old. While I am a completely competent correctional officer, I have no education or skills that would make me readily employable elsewhere.

## In-your-face arguments

We are given four reasons why we have to take a faceful of OC as part of training in its use:

¶ To appreciate the effects of the spray in order that we would not abuse it;

¶ To prepare ourselves for the effects of the spray should we be exposed to it in the line of duty;

¶ To become familiar with the detoxification process, and,

¶ So that we could testify, if necessary, about the use of pepper spray.

Reason No. 1 is based on invalid logic. It is understandable human nature that if our rights are violated by our superiors, we are not going to be overly concerned with the rights of our subordinates. Our department settled a class-action suit brought by inmates in

a particular youth facility. Among other violations, officers would fill a cell with OC and when the inmate ran out he was beaten with batons (many times with two-handed overhand blows to the head). One youth's skull was fractured. They videotaped these beatings.

The inmates' expert witness, himself a former prison administrator, stated that he had never experienced or witnessed a more out-of-control staff. Being sprayed in the face with OC during training did not deter this staff from abusing the inmates. Preventing abuse must be accomplished through solid hiring practices, adherence to a well-written policy, skilled and reasonable supervision, and consistent disciplinary action. Perhaps mentoring should be included as well.

As to Reason No. 2, I was not sprayed with CS, yet during the eight years I carried it, I realized what the effects would be should I catch some of it in line-of-duty use. During the year between filing my complaint with the court and my being sprayed, all of my fellow officers carried OC on their belts while they were on duty. I got my lungs full of it during an incident involving two inmates. I coughed and wheezed for 30 minutes, my eyes burned and

watered, but that didn't prevent me from dealing with the inmates in the prescribed manner. I even helped decontaminate one of them. All this without any OC training whatsoever! This was the first time OC had been used at my unit.

In addition, Reason No. 2, as well as No. 3, can be dealt with in the classroom.

Finally, Reason No. 4 sheds some light on where the Attorney General's office is coming from. However, the law prohibits violating an individual's rights in order to protect an agency from a hypothetical third-party suit that may or may not arise sometime down the road.

From other agencies, I see that the goal of full-exposure OC training "involved developing a history of the product's reliability and safety." It is apparent that our agencies consider us to be disposable guinea pigs. Why didn't they demand that the manufacturers develop this history first?

## Follow the money

Hold on, though; the plot thickens. Spraying thousands of officers is very expensive for the taxpayer. Lots of

money is involved. Our department purchases OC and other items from a supplier in this state. One of the corporate directors of this supply company is a partner in a large law firm. This law firm has its own political action committee. PACs make contributions to politicians. Three of the politicians this particular PAC made contributions to are Thomburg, the Governor and the secretary of state, who later resigned following allegations of official misconduct in an unrelated matter. Some of the individual partners made contributions to Thomburg as well. Documents from the elections board show also that Judge Thomburg's colleagues at the AG's office gave him at least \$17,000 between 1989 and 1992. A contribution of \$1,200 came from the branch chief in the AG's office who would not allow me into the office to examine the discovery documents when they were shipped from headquarters.

I find the information put out by the OC manufacturers to be alarmingly shallow and, in many cases, inaccurate. OC has never been put through an objective, scientific study, which would cost approximately \$1 million. No agency regulates or tests it for ingredients, strength or purity. Starting in January 1995, the Environmental Protection Agency outlawed Freon and other chemicals. All of the OC canisters that I have seen or heard about in our department are dated 1994. What's in this stuff? I am disturbed by the sometimes hasty, always sealed settlements in wrongful-death, product-liability type suits. A major OC manufacturer was severely sanctioned in 1994 by the Federal Trade Commission for making false claims about one of its sprays. That sanction includes OC. Another manufacturer made payoffs to an FBI agent involved in endorsing the product. Still another pulled an end-run around a regulation requiring a human health risk analysis.

## The price of rights

If a research project is federally funded, the human subjects are protected by the Common Rule. This rule is also followed by reputable research companies and universities that are not federally funded. In a nutshell, the Common Rule requires informed consent. The general nature of the research and risks associated with it must be made known to the subject. Participation is entirely voluntary (no coercion, manipulation, loss of benefits, etc.) and the subject can decline to continue at any time. Subjects are told whom to contact for further information. In a letter to my Congressman, the defendant said that "it was up to Ms. Ryder to decide whether the voluntary relinquishment of her right to bodily integrity and freedom from pain is worth continued employment as a uniformed Correctional Officer." A polite comment does not come readily to mind.

Because we are at times likened (incorrectly) to the military, I did a little reading into this area. In 1994, a prestigious panel was commissioned by the President to look at human radiation experiments. The final report was published the following year. Although they were funded to investigate radiation experiments, their research covered human subjects in general and the ethical and moral considerations in all human-subject research. The report notes: "Military policy clearly states that service personnel may not be ordered to be human subjects.... The military setting, with its strict hierarchical authority structure and pervasive presence in the lives of its members, poses special problems for ensuring the voluntariness of participation in research activities." There are many instances where "officers as well as their troops may be uncertain as to whether the status of particular exercises is research or training" (emphasis added).

Perhaps there will be dire times when forced human subject research must be considered, but it is incomprehensible that a small, secretive, perhaps self-serving group be permitted to make this decision. The most far-reaching recommendation coming from this committee is "that any exception to the principle of individual autonomy, since it tampers with fundamental democratic values, must be rigorously justified by clear and sufficient reason"; such exception can only be made "by an authoritative and highly visible body."

## Assault & pepper

After I was sprayed, which I considered to be a violent assault, I was treated at the ER for burns to my eyes and face. I was given codeine for the most horrific headache of my entire life. The intensity of it lasted almost three days and then gradually tapered off. I get headaches much more frequently than I did prior to being sprayed. My eyesight is damaged beyond the normal problems of advancing age. I suffered a severe depression that almost took my life and still comes over me from time to time. It also, I firmly believe, cost me my job, forcing me to take an early disability retirement.

Let me say for the record, however, that I am not against the proper use of OC. What bothers me most is that I knew (and knew that they knew) that they couldn't treat us with such disrespect for our rights, yet they did it anyway.

I had occasion to speak with one former manufacturer of OC, and asked him if the powers that be — OC manufacturers and police agency command echelons — would ever come clean on the truths about pepper spray. Not likely, he said, for "they are too deep into the lie." Perhaps, but little by little the genie of truth is fighting its way out of the bottle. They can't keep this quiet anymore.

## Headlines are not enough

Affirmative-action programs looking a little black & blue  
The jury is still out on community policing  
It's a mother  
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# Upcoming Events

## NOVEMBER

**2-4. Computer Crime Investigation.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$450.

**2-4. Street Survival 98.** Presented by Calibre Press. Seattle. \$199.

**2-4. Fraud Investigation Methods.** Presented by the Investigation Training Institute. Phoenix. \$595.

**2-6. Field Training & Evaluation Process.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$550.

**2-6. Research Techniques.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$500.

**2-6. Traffic Accident Reconstruction 2.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$700.

**2-6. Law Enforcement: Ethics Train the Trainer.** Presented by the Southwestern Law Enforcement Institute. Bloomington, Ill. \$495.

**2-6. Child Abuse.** Presented by the Delinquency Control Institute. Los Angeles. \$800.

**2-6. Investigation & Prosecution of Child Fatalities & Physical Abuse.** Presented by the American Prosecutors Research Institute. San Antonio, Texas.

**3-5. Enabling Technologies for Law Enforcement & Security.** Presented by The Society of Photo-Optical Instrumentation Engineers. Boston.

**4-5. Investigative Techniques.** Presented by Hutchinson Law Enforcement Training. Fitchburg, Mass. \$190.

**4-5. "Live from the Scene" — Police/Media Issues.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$375.

**4-6. Advanced Crisis Negotiations.** Presented by the National Tactical Officers Association. Doylestown, Pa. \$286.

**4-6. Critical Incident Management.** Presented by the International Association of Chiefs of Police. Keene, N.H. \$385.

**5-6. Performance Appraisal.** Presented by the International Association of Chiefs of Police. Detroit. \$385.

**5-6. Less Lethal Projectiles Instructor Certification.** Presented by the National Tactical Officers Association. Doylestown, Pa. \$187.

**5-6. Tracing Illegal Proceeds.** Presented by the Investigation Training Institute. Phoenix. \$395.

**7-9. 2nd International Conference on Restorative Justice for Juveniles.** Presented by Florida Atlantic University. Fort Lauderdale, Fla.

**9-10. Community-Oriented Policing Concepts.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$225.

**9-13. Death Investigation.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$575.

**9-13. Specialized Reconstruction of Leaving the Scene and Pedestrian Traffic Collisions.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$750.

**9-13. Internal Affairs, Professional Standards & Ethics.** Presented by the Southwestern Law Enforcement Institute. Dallas. \$495.

**10-12. High-Risk Incident Management.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$250.

**11-13. Advanced Police Budgeting & Cost Analysis.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$450.

**12-13. Body Language & Interviewing Techniques.** Presented by Hutchinson Law Enforcement Training. New Braintree, Mass. \$190.

**12-14. Crime & Politics in the 21st Century.** Presented by the Campaign for an Effective Crime Policy. Bethesda, Md. \$185.

**16. Oleoresin Capsicum Aerosol Training Instructor & Instructor Re-Certification Course.** Presented by R.E.B. Training International Inc. Harrisburg, Pa. \$225.

**16. Management of Aggressive Behavior Instructor.** Presented by R.E.B. Training International Inc. East Windsor, Conn. \$220.

**16-17. Rapid Deployment to High-Risk Incidents.** Presented by the International Association of Chiefs of Police. Thibodaux, La. \$385.

**16-18. Advanced Tactical Management for Commanders and Supervisors.** Presented by the International Association of Chiefs of Police. St. Peters, Mo. \$385.

**16-18. Police Law & Legal Issues: What Every Police Manager Needs to Know About the Law.** Presented by the International Association of Chiefs of Police. St. Louis, Mo. \$385.

**16-18. Conference on Assessment Centers & Selection Issues.** Presented by the International Association of Chiefs of Police. San Diego. \$385.

**16-18. Fraud Investigation Methods.** Presented by the Investigation Training Institute. San Francisco. \$595.

**16-18. Police Resource Planning.** Presented

by the Northwestern University Traffic Institute. Evanston, Ill. \$500.

**16-19. SWAT Supervisors' Tactics and Management.** Presented by the International Association of Chiefs of Police. Chesterfield, Va. \$385.

**16-20. Administration and Management of Training.** Presented by Southwestern Law Enforcement Institute. Dallas. \$495.

**16-20. Computerized Accident Reconstruction 4: EDCRASH and EDSMAC Extended.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$800.

**17-19. Street Survival 98.** Presented by Calibre Press. Pittsburgh, Pa. \$199.

**17-20. Management of Aggressive Behavior Instructor Course.** Presented by R.E.B. Training International, Inc. East Windsor, Conn. \$1,025.

**17-20. Implementing Community Policing.** Presented by the New England Institute of Law Enforcement Management. Wellesley, Mass.

**19. Oleoresin Capsicum Aerosol Training Instructor Re-Certification Course.** Presented by R.E.B. Training International Inc. Bloomington, Ill. \$225.

**19-20. Tracing Illegal Proceeds.** Presented by the Investigation Training Institute. San Francisco. \$395.

**21-22. Expanded Tactical Folding Knife Instructor Training.** Presented by CQC Service Group. Jacksonville, Fla.

**28-29. Expanded Tactical Folding Knife Instructor Training.** Presented by CQC Service Group. Orlando, Fla.

**30-Dec. 2. Street Survival 98.** Presented by Calibre Press. Las Vegas. \$199.

**30-Dec. 2. Workshop on Problem-Solving: The Seven A's.** Presented by the International Association of Chiefs of Police. Sparks, Nev. \$385.

**30-Dec. 18. Command Training Program.** Presented by the New England Institute of Law Enforcement Management. Wellesley, Mass.

## MOVING?

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## For further information:

Addresses & phone/fax numbers for organizations listed in calendar of events.

American Prosecutors Research Institute, 99 Canal Center Plaza, Suite 510, Alexandria, VA 22314. (703) 739-0321. Fax: (703) 836-3195.

Calibre Press, 666 Dundee Rd., Suite 1607, Northbrook, IL 60062-2727. (800) 323-0037. Fax: (708) 498-6869. E-mail: Seminar@CalibrePress.com.

CQC Service Group, Kingsbury Lane, Billerica, MA 01862. (617) 667-5591.

Campaign for an Effective Crime Policy, 918 F St. NW, Suite 507, Washington, DC 20004. (202) 628-1903. E-mail: national@crimepolicy.org.

Delinquency Control Institute, P.O. Box 77902, Los Angeles, CA 90099-3334. (213) 743-2497. Fax: (213) 743-2313.

Florida Atlantic University, 220 Southeast 2nd Ave., Room 612, Fort Lauderdale, FL 33301. (954) 762-5660. Fax: (954) 762-5693. Web: <http://www.fau.edu/div/dept/cupa/conf98>.

Hutchinson Law Enforcement Training, LLC, P.O. Box 822, Granby, CT 06035. (860) 653-0788. E-mail: dhutch@snet.net. Web: <http://www.patriotweb.com/hlet>.

Institute of Police Technology & Management, University of North Florida, 4567 St. Johns Bluff Rd. So., Jacksonville, FL 32216. (904) 646-2722.

International Association of Chiefs of Police, P.O. Box 90976, Washington, DC 20090-0976. 1-800-THE IACP. Fax: (703) 836-4543. E-mail: Training@theiacp.org. Web: [www.theiacp.org](http://www.theiacp.org).

Investigation Training Institute, P.O. Box 77059, Orlando, FL 32877. (407) 816-7273.

Fax: (407) 816-7273.

Millersville University, Department of Continuing Education, Attn: Jacob Haber, (302) 654-9091.

National Tactical Officers Association, P.O. Box 592, Doylestown, PA 18901. (800) 279-9127. Fax: (215) 230-7552.

New England Institute of Law Enforcement Management, P.O. Box 57350, Babson Park, MA 02157-0350. (617) 237-4724. Web: <http://www.nielem.net/users/gurke/neilem.html>.

Northwestern University Traffic Institute, P.O. Box 1409, Evanston, IL 60204. (800) 323-4011. Web: [www.nwu.edu/traffic/](http://www.nwu.edu/traffic/).

Office of International Criminal Justice, University of Illinois-Chicago, (312) 996-9595.

Public Safety Training Inc., P.O. Box 106, Oak Harbor, OH 43449. (419) 732-2520. Fax: (419) 732-3580. E-mail: 74644.2204@compuserve.com.

R.E.B. Training International Inc., P.O. Box 845, Stoddard, NH 03464. (603) 446-9393. Fax: (603) 446-9394.

Sirchie FingerPrint Laboratories, 100 Hunter Pl., Youngsville, NC 27596. (919) 554-2244. Fax: (919) 556-2266.

Society of Photo-Optical Instrumentation Engineers, P.O. Box 10, Bellingham, WA 98227. (360) 676-3290. Fax: (360) 647-1445. E-mail: pe98@spie.org. Web: [www.spie.org/info/le/](http://www.spie.org/info/le/).

Southwestern Law Enforcement Institute, P.O. Box 830707, Richardson, TX 75083-0707. (972) 664-3471. Fax: (972) 699-7172. Web: <http://web2.airmail.net/SLI/slet.html>.

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## Uphill climb:

Ambitious ideas for overhauling troubled police departments in Washington and Philadelphia.  
**Stories, Page 1.**



## OC training — a year in hell

A North Carolina officer's ordeal with "in your face" pepper-spray training. **Forum, Page 8.**

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### What They Are Saying:

**"It struck me one day that I can't fix this place. I really underestimated the problems. They really are systemic. We're not structured in a way to get work done."**

— Washington, D.C., Police Chief Charles H. Ramsey, who recently unveiled a sweeping plan to reorganize and overhaul the capital's beleaguered Metropolitan Police Department. (Story, Page 1.)